



Department of Justice

FOR IMMEDIATE RELEASE
FRIDAY, SEPTEMBER 13, 2002
WWW.USDOJ.GOV

AT
(202) 514-2007
TDD (202) 514-1888

FORMER NAN YA EXECUTIVE INDICTED ON PRICE-FIXING CHARGE FOR POLYESTER STAPLE

WASHINGTON, D.C.--A federal grand jury in Charlotte, N.C. today indicted Robert Bradley Dutton, a former sales manager for Nan Ya Plastics Corporation, for conspiring to fix prices and allocate customers in the polyester staple industry, the Department of Justice announced. Polyester staple is a petroleum-derived fiber used to make products such as clothing, table linens and upholsteries.

Today's indictment, filed in U.S. District Court in Charlotte, charges Dutton, a resident of Wilmington, N.C., with conspiring with others to fix the prices of, and allocating customers for, the sale of polyester staple throughout the United States from as early as September 1999 to at least January 2001.

"This case reflects the Antitrust Division's resolve to proceed aggressively against cartels that harm American businesses and consumers," said Charles A. James, Assistant Attorney General in charge of the Department's Antitrust Division.

In the first case brought as a result of this investigation, Dutton and unnamed co-conspirators are charged with carrying out the conspiracy by participating in meetings and conversations where prices and customers were discussed and agreements reached; selling polyester staple at the agreed-upon prices and to the agreed-upon customers; monitoring and enforcing adherence to the agreements; and issuing price announcements and quotations in accordance with their agreements.

Dutton is charged with violating Section One of the Sherman Act which carries a maximum penalty of three years in prison and a fine of \$350,000 for individuals. The maximum fine may be

increased to twice the pecuniary gain derived from the crime or twice the pecuniary loss suffered by the victims of the crime, if either of those amounts exceeds the statutory maximum fine.

The ongoing investigation is being conducted by the Antitrust Division's Dallas Field Office with the assistance of the Federal Bureau of Investigation's Dallas Office.

Anyone with information concerning price fixing in the polyester staple industry should contact the Antitrust Division's Dallas Office at (214) 880-9401, or the FBI's Dallas Office at (214) 720-2200.

###

02-526